

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

USCOC OF GREATER MISSOURI, LLC
d/b/a U.S. CELLULAR,

Plaintiff(s),

vs.

COUNTY OF FRANKLIN, MISSOURI,

Defendant(s).

Case No. 4:07CV1426 JCH

ORDER

This matter is before the Court on Plaintiff's Motion for Leave to Supplement the Record, filed July 18, 2008. (Doc. No. 42). Upon consideration, the Court will deny Plaintiff's motion. See USCOC of Greater Iowa, Inc. v. Zoning Board of Adjustment of Des Moines, 465 F.3d 817, 820 (8th Cir. 2006), quoting 47 U.S.C. § 332(c)(7)(B)(iii) ("Congress did not give the courts authority to hear a zoning case anew or to take new evidence, but only to review the "written record" for "substantial evidence" supporting the decision of the local authority.").

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Leave to Supplement the Record (Doc. No. 42) is **DENIED**.

Dated this 6th day of August, 2008.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE